

Senate Study Bill 1290

SENATE FILE _____
BY (PROPOSED COMMITTEE ON APPROPRIATIONS
BILL BY SENATE APPROPRIATIONS
SUBCOMMITTEE ON AGRICULTURE
AND NATURAL RESOURCES)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government, including provisions affecting agriculture and
3 natural resources, and providing for fees.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2452XA 81
6 da/sh/8

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1 1 AGRICULTURE AND NATURAL RESOURCES
1 2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
1 3 GENERAL APPROPRIATIONS
1 4 Section 1. GENERAL DEPARTMENT APPROPRIATION. There is
1 5 appropriated from the general fund of the state to the
1 6 department of agriculture and land stewardship for the fiscal
1 7 year beginning July 1, 2005, and ending June 30, 2006, the
1 8 following amount, or so much thereof as is necessary, to be
1 9 used for the purposes designated:
1 10 1. For purposes of supporting the department, including
1 11 its divisions, for administration, regulation, and programs,
1 12 for salaries, support, maintenance, miscellaneous purposes,
1 13 and for not more than the following full-time equivalent
1 14 positions:
1 15 \$ 18,083,299
1 16 FTEs 417.12
1 17 2. a. Of the amount appropriated in subsection 1, the
1 18 department shall not expend less than \$77,000 for salaries,
1 19 support, maintenance, and miscellaneous purposes of
1 20 administering the senior farmers market nutrition program
1 21 under the jurisdiction of the United States department of
1 22 agriculture.
1 23 b. Of the amount appropriated in subsection 1, the
1 24 department shall not expend less than \$250,000 to reimburse
1 25 commissioners of soil and water conservation districts for
1 26 administrative expenses including but not limited to travel
1 27 expenses, technical training, and professional dues.
1 28 c. Of the amount appropriated in subsection 1, the
1 29 department shall not expend less than \$127,000 for salaries,
1 30 support, maintenance, and miscellaneous purposes for the
1 31 administration of the chronic wasting disease program for
1 32 deer, including as provided in chapter 170.
1 33 d. Of the amount appropriated in subsection 1, the
1 34 department shall not expend less than \$48,000 for salaries,
1 35 support, maintenance, and miscellaneous purposes for the
2 1 administration of horse and dog racing under section 99D.22.
2 2 e. Of the amount appropriated in subsection 1, the
2 3 department shall not expend less than \$172,000 to convert data
2 4 and update the department's databases.
2 5 f. Of the amount appropriated in subsection 1, the
2 6 department shall not expend less than \$65,000 to purchase
2 7 laptop computers for field staff relating to the
2 8 administration of regulations of commercial feed under chapter
2 9 198, fertilizer and soil conditioners under chapter 200,
2 10 pesticides under chapter 206, grain dealers under chapter 203,
2 11 and warehouse operators under chapter 203C.
2 12 g. Of the amount appropriated in subsection 1, the
2 13 department shall not expend less than \$96,000 for salary,
2 14 support, maintenance, and miscellaneous purposes relating to
2 15 the employment of an additional assistant veterinarian.
2 16 h. Of the amount appropriated in subsection 1, the

2 17 department shall not expend less than \$40,000 for salary,
2 18 support, maintenance and miscellaneous purposes relating to
2 19 the administration of apiary regulations as provided in
2 20 chapter 160.

2 21 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
2 22 DESIGNATED APPROPRIATIONS

2 23 Sec. 2. RIVER AUTHORITY. There is appropriated from the
2 24 general fund of the state to the department of agriculture and
2 25 land stewardship for the fiscal year beginning July 1, 2005,
2 26 and ending June 30, 2006, the following amount, or so much
2 27 thereof as is necessary, to be used for the purpose
2 28 designated:

2 29 For purposes of supporting the department's membership in
2 30 the state interagency Missouri river authority, created in
2 31 section 28L.1, in the Missouri river basin association:
2 32 \$ 9,535

2 33 Sec. 3. HORSE AND DOG RACING. There is appropriated from
2 34 the moneys available under section 99D.13 to the department of
2 35 agriculture and land stewardship for the fiscal year beginning
3 1 July 1, 2005, and ending June 30, 2006, the following amount,
3 2 or so much thereof as is necessary, to be used for the
3 3 purposes designated:

3 4 For salaries, support, maintenance, and miscellaneous
3 5 purposes for the administration of section 99D.22:
3 6 \$ 305,516

3 7 Sec. 4. DAIRY PRODUCTS CONTROL BUREAU. There is
3 8 appropriated from the general fund of the state to the
3 9 department of agriculture and land stewardship for the fiscal
3 10 year beginning July 1, 2005, and ending June 30, 2006, the
3 11 following amount, or so much thereof as is necessary, to be
3 12 used for the purposes designated:

3 13 For purposes of supporting the operations of the dairy
3 14 products control bureau, including salaries, support,
3 15 maintenance, and miscellaneous purposes:
3 16 \$ 643,166

3 17 Sec. 5. AVIAN INFLUENZA. There is appropriated from the
3 18 general fund of the state to the department of agriculture and
3 19 land stewardship for the fiscal year beginning July 1, 2005,
3 20 and ending June 30, 2006, the following amount, or so much
3 21 thereof as is necessary, to be used for the purpose
3 22 designated:

3 23 For the support of testing and monitoring avian influenza:
3 24 \$ 50,000

3 25 Notwithstanding section 8.33, moneys appropriated in this
3 26 section that remain unencumbered or unobligated at the close
3 27 of the fiscal year shall not revert but shall remain available
3 28 for the continued testing and monitoring of avian influenza
3 29 until the close of the succeeding fiscal year.

3 30 DEPARTMENT OF NATURAL RESOURCES
3 31 GENERAL APPROPRIATIONS

3 32 Sec. 6. GENERAL DEPARTMENT APPROPRIATION. There is
3 33 appropriated from the general fund of the state to the
3 34 department of natural resources for the fiscal year beginning
3 35 July 1, 2005, and ending June 30, 2006, the following amount,
4 1 or so much thereof as is necessary, to be used for the
4 2 purposes designated:

4 3 1. For purposes of supporting the department, including
4 4 its divisions, for administration, regulation, and programs,
4 5 for salaries, support, maintenance, miscellaneous purposes,
4 6 and for not more than the following full-time equivalent
4 7 positions:
4 8 \$ 16,985,439
4 9 FTEs 1,105.46

4 10 2. Of the amount appropriated in subsection 1, the
4 11 department shall not expend less than \$17,000 for the help us
4 12 stop hunger (HUSH) program.

4 13 Sec. 7. STATE FISH AND GAME PROTECTION FUND ==
4 14 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

4 15 1. a. There is appropriated from the state fish and game
4 16 protection fund to the department of natural resources for the
4 17 fiscal year beginning July 1, 2005, and ending June 30, 2006,
4 18 the following amount, or so much thereof as is necessary, to
4 19 be used for the purposes designated:

4 20 For administrative support, and for salaries, support,
4 21 maintenance, equipment, and miscellaneous purposes:
4 22 \$ 31,370,766

4 23 b. Notwithstanding section 455A.10, the department may use
4 24 the unappropriated balance remaining in the fish and game
4 25 protection fund to provide for the funding of health and life
4 26 insurance premium payments from unused sick leave balances of
4 27 conservation peace officers employed in a protection

4 28 occupation who retire, pursuant to section 97B.49B.
 4 29 2. The department shall not expend more moneys from the
 4 30 fish and game protection fund than provided in this section,
 4 31 unless the expenditure derives from contributions made by a
 4 32 private entity, or a grant or moneys received from the federal
 4 33 government, and is approved by the natural resource
 4 34 commission. The department of natural resources shall
 4 35 promptly notify the legislative services agency and the
 5 1 chairpersons and ranking members of the joint appropriations
 5 2 subcommittee on agriculture and natural resources concerning
 5 3 the commission's approval.
 5 4 Sec. 8. GROUNDWATER PROTECTION FUND. There is
 5 5 appropriated from the groundwater protection fund created in
 5 6 section 455E.11 to the department of natural resources for the
 5 7 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 5 8 from those moneys which are not allocated pursuant to that
 5 9 section, the following amount, or so much thereof as is
 5 10 necessary, to be used for the purposes designated:
 5 11 For administrative support, and for salaries, support,
 5 12 maintenance, equipment, and miscellaneous purposes related to
 5 13 providing for groundwater quality:
 5 14 \$ 3,455,832
 5 15 DEPARTMENT OF NATURAL RESOURCES
 5 16 RELATED TRANSFERS
 5 17 Sec. 9. SNOWMOBILE FEES == TRANSFER FOR ENFORCEMENT
 5 18 PURPOSES. There is transferred on July 1, 2005, from the fees
 5 19 required to be deposited in the special snowmobile fund under
 5 20 section 321G.7 to the fish and game protection fund and
 5 21 appropriated to the department of natural resources for the
 5 22 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 5 23 the following amount, or so much thereof as is necessary, to
 5 24 be used for the purpose designated:
 5 25 For enforcing snowmobile laws as part of the state
 5 26 snowmobile program administered by the department of natural
 5 27 resources:
 5 28 \$ 100,000
 5 29 Sec. 10. VESSEL FEES == TRANSFER FOR ENFORCEMENT PURPOSES.
 5 30 There is transferred on July 1, 2005, from the fees required
 5 31 to be deposited in the special conservation fund under section
 5 32 462A.52 to the fish and game protection fund and appropriated
 5 33 to the natural resource commission for the fiscal year
 5 34 beginning July 1, 2005, and ending June 30, 2006, the
 5 35 following amount, or so much thereof as is necessary, to be
 6 1 used for the purpose designated:
 6 2 For the administration and enforcement of navigation laws
 6 3 and water safety:
 6 4 \$ 1,400,000
 6 5 Notwithstanding section 8.33, moneys transferred and
 6 6 appropriated in this section that remain unencumbered or
 6 7 unobligated at the close of the fiscal year shall not revert
 6 8 to the credit of the fish and game protection fund but shall
 6 9 be credited to the special conservation fund established by
 6 10 section 462A.52 to be used as provided in that section.
 6 11 DEPARTMENT OF NATURAL RESOURCES
 6 12 DESIGNATED APPROPRIATIONS
 6 13 Sec. 11. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE
 6 14 UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated
 6 15 from the unassigned revenue fund administered by the Iowa
 6 16 comprehensive underground storage tank fund board, to the
 6 17 department of natural resources for the fiscal year beginning
 6 18 July 1, 2005, and ending June 30, 2006, the following amount,
 6 19 or so much thereof as is necessary, to be used for the purpose
 6 20 designated:
 6 21 For administration expenses of the underground storage tank
 6 22 section of the department of natural resources:
 6 23 \$ 200,000
 6 24 Sec. 12. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any
 6 25 contrary provision of state law, for the fiscal year beginning
 6 26 July 1, 2005, and ending June 30, 2006, the department of
 6 27 natural resources may use additional funds available to the
 6 28 department from stormwater discharge permit fees for the
 6 29 staffing of the following additional full-time staff members
 6 30 to reduce the department's floodplain permit backlog:
 6 31 FTEs 2.00
 6 32 Sec. 13. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY
 6 33 LOAD PROGRAM. Notwithstanding any contrary provision of state
 6 34 law, for the fiscal year beginning July 1, 2005, and ending
 6 35 June 30, 2006, the department of natural resources may use
 7 1 additional funds available to the department from stormwater
 7 2 discharge permit fees for the staffing of the following
 7 3 additional full-time equivalent positions for implementation

7 4 of the federal total maximum daily load program:
7 5 FTEs 2.00

7 6 MISCELLANEOUS PROVISIONS

7 7 Sec. 14. Section 99D.22, subsection 4, Code 2005, is
7 8 amended to read as follows:

7 9 4. a. To qualify for the Iowa horse and dog breeders
7 10 fund, a dog shall have been whelped in Iowa and raised for the
7 11 first six months of its life in Iowa. In addition, the owner
7 12 of the dog shall have been a resident of the state for at
7 13 least two years prior to the whelping. The department of
7 14 agriculture and land stewardship shall adopt rules and
7 15 prescribe forms to bring Iowa breeders into compliance with
7 16 residency requirements of dogs and breeders in this
7 17 subsection.

7 18 b. The department may adopt a schedule of fees to be
7 19 charged to breeders of dogs for purposes of administering this
7 20 subsection.

7 21 EXPLANATION

7 22 This bill relates to agriculture and natural resources by
7 23 making appropriations for the 2005=2006 fiscal year to support
7 24 related entities, including the department of agriculture and
7 25 land stewardship and the department of natural resources.

7 26 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP == The bill
7 27 appropriates moneys to the department of agriculture and land
7 28 stewardship and the department of natural resources. The
7 29 appropriations are made to support administration of those
7 30 departments. The bill also provides moneys for specific
7 31 programs administered by those departments. The bill
7 32 appropriates moneys from a number of sources, including the
7 33 general fund of the state and the state fish and game
7 34 protection fund.

7 35 For the department of agriculture and land stewardship,
8 1 moneys are appropriated in order to support its divisions.

8 2 The bill allocates moneys from the department's general
8 3 appropriation to support commissions of soil and water
8 4 conservation districts, administration of the chronic wasting
8 5 disease program, horse and dog racing, technology
8 6 acquisitions, and the employment of an assistant veterinarian.

8 7 The bill appropriates moneys to support the senior farmers
8 8 market nutrition program. The bill appropriates moneys to
8 9 support the department of agriculture and land stewardship for
8 10 membership in a river association. The bill appropriates
8 11 moneys to support animal industry programs, including a
8 12 program to regulate horse and dog racing and a program for
8 13 testing and monitoring avian influenza. The bill appropriates
8 14 moneys to support the department's administration of apiary
8 15 regulations.

8 16 DEPARTMENT OF NATURAL RESOURCES == For the department of
8 17 natural resources, moneys are appropriated in order to support
8 18 its divisions.

8 19 The bill makes appropriations from other funds and
8 20 accounts. The bill appropriates moneys to the department of
8 21 natural resources from the groundwater protection fund. The
8 22 bill appropriates moneys to the department of natural
8 23 resources from the state fish and game protection fund for
8 24 support related to fish and wildlife. The bill makes an
8 25 appropriation from moneys transferred to the state fish and
8 26 game protection fund to support snowmobile programs and
8 27 enforce state navigation laws administered by the department
8 28 of natural resources.

8 29 An appropriation is made from the unassigned revenue fund
8 30 administered by the Iowa comprehensive underground storage
8 31 tank fund board to the department of natural resources for
8 32 administration and expenses of the underground storage tank
8 33 section.

8 34 The bill provides that the department of natural resources
8 35 may use additional funds for staffing to reduce the
9 1 department's floodplain permit backlog. It provides that the
9 2 department may use additional funds available from stormwater
9 3 discharge permit fees for staffing required to implement the
9 4 federal maximum daily load program.

9 5 MISCELLANEOUS PROVISIONS == The bill authorizes the
9 6 department of agriculture and land stewardship to adopt a
9 7 schedule of fees necessary to administer a program for the
9 8 promotion of native dog racing.

9 9 LSB 2452XA 81

9 10 da:jp/sh/8